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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/846,909	05/01/2001	Yves Eray	160383.9023	4649

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EXAMINER

LE, LANA N

ART UNIT	PAPER NUMBER
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2685

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DATE MAILED: 03/29/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/846,909

Applicant(s)

ERAY, YVES

Examiner

Lana Le

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 May 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☒ Claim(s) 7 and 8 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 5.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Drawings

The drawings are objected to under 37 CFR 1.83(a) because they fail to show the descriptive labels as described in the specification. Any structural detail that is essential for a proper understanding of the disclosed invention should be shown in the drawing. MPEP § 608.02(d). A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over Martinez (US 4,908,600) in view of Hawes et al (EP 0,903,456A1).

Regarding claim 1, Martinez discloses a short range radio receiver comprising antenna means (29) connected to a unit (31-35) for processing a received carrier in a specific band of frequencies which is modulated by a data signal, the unit comprising means (33) for frequency transposition of the carrier, which are connected to means () for demodulating the transposed carrier, which are arranged to supply the demodulated

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data, the receiver being characterised in that the antenna means (1-4) are arranged to receive a plurality of frequency bands, and that frequency discrimination means (38) are provided, connected to the antenna means (29), arranged to determine respective reception levels within the bands in order to compare them via 67 with each other and to control the frequency transposing means 51, 33 through 47, 49 depending on the result of the comparison (col 3, lines 30-45).

Martinez didn't disclose a receiver for motor vehicle data. Hawes discloses a receiver for motor vehicle data (fig. 2). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have a receiver in a motor vehicle in order to install the alarm receiver in a common carrier such as an automobile for car door alarm detecting purposes.

2. Claims 2-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Martinez (US 4,908,600) in view of Hawes et al (EP 0,903,456A1) and further in view of Lampe et al (US 5,966,646).

Regarding claim 2, Martinez and Hawes et al discloses a receiver according to claim 1, wherein they didn't further disclose frequency transposing means comprise a slave loop of a slave oscillator with respect to a master oscillator. Lampe et al discloses the frequency transposing means comprise a slave loop 186 of a slave oscillator 192 with respect to a master oscillator 182 (fig. 4). It would have been obvious to one of ordinary skill in the art at the time of the invention was made to have a local oscillator loop in order to control the oscillation level of the frequency converting means.

Regarding claim 3, Martinez, Hawes et al and Lampe et al discloses the receiver wherein Martinez further discloses one of the frequency adjustable circuit 49 between one of an oscillator input 51 is arranged to be controlled by the discriminator means (38) according to claim 2, wherein Lampe et al further discloses the slave loop (188-194) comprises a phase comparator (188) connected to the two oscillators (182, 192) by two respective inputs with an adjustable frequency-changing circuit (184) interposed on one of the inputs (fig. 4). It would have been obvious to one of ordinary skill in the art at the time of the invention was made to have a phase comparator in order to determine the accurate level to adjust the oscillator input to the downconverting means.

Regarding claim 4, Martinez, Hawes et al and Lampe et al discloses discloses a receiver according to claim 2, wherein Lampe et al discloses the loop (186) controls a mixer (208) for transposing the frequency of the received signal via a frequency divider (194) arranged to be controlled by the discriminator means (170) (figs. 4&6).

Regarding claim 5, Martinez, Hawes et al and Lampe et al discloses a receiver according to claim 2, wherein Martinez further discloses the master oscillator (51) is arranged so that its frequency is controlled by the discriminator means (38).

Regarding claim 6, Martinez and Hawes et al discloses a receiver according to claim 1, wherein the discriminator means (38) comprise two frequency-shifted band-pass filters (39, 41) connected to the inputs of a comparator (67) for selecting the frequency band.

Allowable Subject Matter

1. Claims 7-8 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Regarding claim 7, Martinez, Hawes et al and Lampe et al discloses receiver according to claim 6, wherein they didn't further disclose the comparator comprises, at its input, two noise-eliminating threshold circuits.

Regarding claim 8, Martinez, Hawes et al and Lampe et al discloses receiver according to claim 7, wherein they didn't further disclose the comparator comprises a circuit for at-rest priority polarization of one of its inputs with respect to the other.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lana Le whose telephone number is (703) 308-5836. The examiner can normally be reached on M-F.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Urban can be reached on (703) 305-4385. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Lana Le

March 20, 2004



EDWARD F. URBAN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2000